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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

MARK STEVEN ACKER,

Chapter 11  
Case No. 22-22359 (SHL)

Debtor.

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**DECLARATION OF MARK STEVEN ACKER**  
**PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2**

MARK STEVEN ACKER hereby declares, pursuant to 28 U.S.C. §1746 as follows:

1. I am the individual Chapter 11 debtor herein (the “Debtor”). I submit this affidavit pursuant to Rule 1007-2 of the Local Rules for the United States Bankruptcy Court for the Southern District of New York.

**Local Rule 1007-2(a)(1)**

2. I am a former police officer in Rockland County. I suffered a traumatic injury in a motorcycle accident which left me disabled. As a result of the accident my only income is social security disability and workers compensation.

3. My wife and I live in an apartment in Haverstraw, New York. We still own and occasionally rent out our former residence purchased in 1991 and located at 47 Tranquility Road, Suffern, New York (“47 Tranquility”).

4. We do not live in 47 Tranquility because the house is too large and the carrying costs are too high. We've been trying for some time to sell 47 Tranquility. The reason I filed chapter 11 is to assist with the sale of 47 Tranquility for the benefit of my creditors.

5. For years, my two siblings and I have been embroiled in litigation related to my father's estate, the Estate of Stanley Acker (the "Estate") and the Matter of Irrevocable Life Insurance Trust, Stanley Acer, Gtrantor dated October 1, 1987 (the "Marital Trust"). Both matters are pending in Palm Beach County, Florida.

6. Although I am a beneficiary of the Estate and the Marital trust, my siblings pursued a judgment against me, which is in the name of the Estate. I understand the judgment is to be paid from the Estate and/or Marital Trust. Regardless, approximately 89 days before the Petition Date my siblings caused the judgment to be docketed in Rockland County, thereby creating a judgment lien on 47 Tranquility which would create a problem for our intentions to sell the property. My attorneys are in the process of preparing a complaint seeking to avoid the judgment lien as a preference.

7. During this chapter 11 case I intend to retain my broker at Coldwell banker, identify a purchaser, then file a motion with this Court seeking approval of the sale. After paying off the exiting mortgage and closing costs, the net proceeds will be paid 50% to my wife, the homestead exemption to me, with the balance to be put in my attorney's escrow account for the benefit of my creditors.

8. Therefore, I filed this chapter 11 case so that I can have the opportunity to stabilize my personal life, liquidate most of my non-exempt assets, and formulate a plan of reorganization.

9.

**Local Rule 1007-2(a)(2)**

10. This case was not originally commenced under Chapter 7 or 13 of the Bankruptcy Code.

**Local Rule 1007-2(a)(3)**

11. Upon information and belief, no committee was organized prior to the order for relief in this Chapter 11 case.

**Local Rule 1007-2(a)(4)**

12. A list of the names and addresses of my 20 largest unsecured claims, excluding those who would not be entitled to vote at a creditors' meeting and creditors who are "insiders" as that term is defined in §101(31) of the Bankruptcy Code is being filed contemporaneously with this Affidavit.

**Local Rule 1007-2(a)(5)**

13. A list of the names and addresses of the five largest secured creditors is being filed contemporaneously with this Affidavit.

**Local Rule 1007-2(a)(6)**

14. A summary of the Debtor's assets and liabilities will be filed shortly.

**Local Rule 1007-2(a)(7)**

15. As an individual debtor, Local Rule 1007-2(a)(7) is not applicable.

**Local Rule 1007-2(a)(8)**

16. None of our properties are in the possession of any custodian, public officer, mortgagee, pledge, assignee of rents, or secured creditor, or any agent for such entity.

**Local Rule 1007-2(a)(9)**

17. I currently lease my residence located at 2305 Round Pointe Drive, Haverstraw, New York 10927, and I own my former residence located at 47 Tranquility Road, Suffern, New York 10901. I do not have any other premises owned, leased, or held under any other arrangement from which I operate my affairs.

**Local Rule 1007-2(a)(10)**

18. My assets are located at 2305 Round Pointe Drive, Haverstraw, New York 10927, and at 2305 Round Pointe Drive, Haverstraw, New York 10927, which is also where my books and records are located.

**Local Rule 1007-2(a)(11)**

19. There is one lawsuits pending against me *Chubb National Insurance Company v. Mark Acker*, Supreme Court of the State of New York, County of Rockland, Index No. 031483/2022.

**Local Rule 1007-2(a)(12)**

20. As an individual debtor, Local Rule 1007-2(a)(12) is not applicable.

**CONCLUSION**

Pursuant to 28 U.S.C. §1746, I declare under the penalty of perjury that the foregoing is true and correct.

Dated: July 13, 2022

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Mark Steven Acker